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Dated: October 17, 2005 Signature: Robert B. Cohen
(Robert B. Cohen)

Docket No.: SCEI 3.0-103
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Muneki Shimada

Application No.: 10/003,620

Group Art Unit: 2142

Filed: November 2, 2001

Examiner: R. B. Harrell

For: SYSTEM FOR TRANSMITTING PROGRAM
CONTENT DATA ACCORDING TO USER
PRIORITY OR NETWORK CONGESTION
STATUS

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATION PURSUANT TO 37 C.F.R. § 1.97(E) (1)

Sir:

Pursuant to 37 C.F.R. § 1.97(e) (1), undersigned counsel hereby certifies that each item of information contained in the accompanying Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application to the above-referenced patent application not more than three months prior to the filing of said statement.

Dated: October 17, 2005

Respectfully submitted,

By Robert B. Cohen
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LD-456\

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INFORMATION DISCLOSURE STATEMENT

Sir:

It is respectfully requested that the references listed on the enclosed form be made of record and considered with respect to the above-referenced U.S. patent application. The cited references were listed on a search report issued in connection with applicant's corresponding European application. A copy of the search report and a copy of each reference are enclosed. Submission of the present Information Disclosure Statement should not be taken as an admission that the cited references are legally available prior art or that the same are pertinent or material.

Application No.: 10/003,620

Docket No.: SCEI 3.0-103

In the event that any fee is due in connection with the present Information Disclosure Statement, the Commissioner is hereby authorized to charge the same to our Deposit Account No. 12-1095.

Dated: October 17, 2005

Respectfully submitted,

By 

Robert B. Cohen

Registration No.: 32,768

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PTO/SB/08a/b (07-05)

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet	1	of	1
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Complete if Known

Application Number	10/003,620-Conf. #8452
Filing Date	November 2, 2001
First Named Inventor	Muneki Shimada
Art Unit	2142
Examiner Name	R. B. Harrell
Attorney Docket Number	SCEI 3.0-103

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA*	5,978,855	11-02-1999	Metz et al.	
	AB*	6,047,127-A	04-04-2000	McCarten et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	BA	EP-0 762 686-A2	03-12-1997	U S West, Inc.		✓
	BB	WO-00/40026-A1	07-06-2000	NTL Group Limited		✓

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * CITE NO.: Those application(s) which are marked with an single asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	HAFID, A., "A scalable video-on-demand system using future reservation of resources and multicast communications", Computer Communications, Vol. 21, No. 5, May 1998, pp. 431-444.	✓
	CB	SUBRAMANYA, S.R., "Video Containers: A System for the On-Demand Storage, Delivery, and Management of Television Programs", 2000 IEEE International Conference in New York, NY, Vol. 3, July 30, 2000, pp. 1245-1249.	✓

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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Examiner Signature		Date Considered	
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